

**STATE DRIVING BUSINESSES LICENSURE BOARD**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 4/6/2018**

**BOARD MEMBERS PRESENT:** Robert M Fenn - Chair  
Faith Todd  
C Randal Willie  
Jared Hugh Haustveit  
Theresa A Bradford

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Deputy Bureau Chief  
Julie Eavenson, Admin. Support Manager  
Maurie Ellsworth, General Counsel  
Roger Hales, Naylor and Hales  
Cesley Metcalfe, Technical Records Specialist  
Lizzie Kukla, Technical Records Specialist

**OTHERS PRESENT:** Brian Johns, Driving Instructor

The meeting was called to order at 9:05 AM MDT by Robert M Fenn.

**APPROVAL OF MINUTES**

Mr. Willie made a motion to approve the minutes of January 26, 2018. It was seconded by Ms. Bradford. Motion carried.

**LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. The Legislature adjourned on March 28, 2018. The Board's proposed and pending rule changes were approved by the 2018 Legislature and became effective on March 22, 2018.

The deadline to submit proposed law changes to the Governor's Office is mid-July 2018 and the deadline to submit proposed rule changes to the Governor's Office is mid-August 2018 for the 2019 Legislative Session.

**INTERIM COMMITTEE UPDATE**

Senate Bill 1316 was introduced in the Senate February 19. Some designated Board members met with Senators Burgoyne and Den Hartog on February 26 and the Senators said they would like to see comments or proposed

amendments. Suggested amendments/comments were provided to them February 27. Some of the proposed amendments were put into the Bill and it passed the Senate on March 12 and the House on March 21. The Governor allowed the bill to become law without his signature and it will be effective July 1.

House Bill 623 passed the House on March 6 by a vote of 47-23 and was sent to the Senate. Designated members of Boards served by the Bureau were contacted and reviewed the bill. A letter expressing concerns about House Bill 623 was prepared and signed by 28 of the designated Board members. It was addressed and delivered to Senator Patti Ann Lodge, chair of the Senate Judiciary and Rules Committee on March 12. Copies have been sent to all Board members by email.

Ms. Todd joined the meeting at 9:30 AM.

### **FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$76,594.63 as of March 31, 2018.

### **ONLINE COURSE CURRICULUM**

Ms. Todd made a motion to name Ms. Bradford as the Board Chair for the discussion of the online course curriculum. It was seconded by Mr. Willie. Motion carried. Mr. Brian Johns introduced himself and presented an overview of a new online course he has designed for the use of a private driving business. Ms. Todd made a motion for the course to be reviewed in detail by Mr. Haustveit and Ms. Todd, who will give their recommendations to the Board at the next meeting on April 27. It was seconded by Mr. Willie. Motion carried.

Mr. Willie was excused from the meeting at 10:35 PM.

### **BOARD MEMBER TRAINING**

Mr. Ellsworth presented a training session on the role of a regulatory Board and its members.

### **OLD BUSINESS**

The Board reviewed the To Do List and no action was taken.

### **LAWS AND RULES**

The Board reviewed the laws and rules and directed Mr. Hales to work on a law change to reduce apprenticeship training hours and to bring it back to the Board at the May 18 meeting. The Board also discussed the possibility of requiring

business liability insurance for classroom settings and will look at what is required by the Department of Education to provide consistency with the public driving schools.

## **EXECUTIVE ORDER**

Ms. Eavenson reviewed the Board's role in responding to the Lt. Governor's Executive Order. There is a template that will be used to complete each Board's response, and the template contains six sections:

- A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal
- B. Applications and Renewals Denied – 2017
- C. Disciplinary Actions – Past 5 Years
- D. Law, Rule, or Policy Changes or Proposed/Implemented Changes in Last 5 Years to Eliminate Barriers to Entry
- E. Assessment of Public Interest
- F. Recommendations for Improvement, Modification, or Elimination of Requirements

The Bureau will be responsible for gathering and entering all of the data in sections A, B and C of the template. The Bureau and each Board will jointly fill in section D regarding the Law, Rule or Policy Changes or Proposed/Implemented Changes in Last 5 Years to Eliminate Barriers to Entry. The Board Specialist and Administrative Support Manager will assist the designated Board members with writing sections E and F.

Ideas for the EO that come up between meetings cannot be shared among Board members outside of Board meetings, but may be forwarded to the Board Specialist or Administrative Support Manager for inclusion in the next meeting.

The process will be completed in three meetings: 1) discussion, 2) review and approve a rough draft, and 3) review and approve a final draft. The final draft must be completed and approved by June 15, to meet the July 1, deadline for responding.

Ms. Todd made a motion to name Ms. Bradford to a subcommittee with Mr. Fenn to work on the executive order and to authorize Mr. Haustveit to review and approve apprentice and instructor applications when Mr. Fenn is unavailable. It was seconded by Ms. Bradford. Motion carried.

## **BUSINESS AUDIT LETTER AND BUSINESS AUDIT NOTIFICATION LETTER**

The Board reviewed the business audit notification letter and the business audit letter and directed Bureau staff to make changes to the letters. Ms. Todd made a motion to approve the audit notification letter with changes and mail to driving businesses. It was seconded by Ms. Bradford. Motion carried.

The Board discussed additional changes to the business audit letter. Ms. Bradford made a motion to direct Bureau staff to make the discussed changes. It was seconded by Mr. Haustveit. Motion carried.

### **APPRENTICESHIP PROGRAM ONLINE UPDATE**

The Board reviewed the list of businesses that have requested to be included on the approved apprenticeship program list posted on the Board's website. Ms. Bradford made a motion to update the Board's website with the new list. It was seconded by Mr. Haustveit. Motion carried.

### **NEW BUSINESS**

### **NOTIFICATION TO LICENSEES**

The Board reviewed draft language for a postcard to be sent to licensees. Mr. Haustveit made a motion to approve the draft with changes and to mail it to licensees. It was seconded by Ms. Todd. Motion carried.

### **CORRESPONDENCE**

The Board reviewed correspondence from Mr. Michael Huskisson regarding the private driving businesses apprenticeship training program. Ms. Todd made a motion directing the Bureau to draft a response for review by Mr. Fenn and Ms. Bradford and to send a copy of the response to the Governor's office. It was seconded by Mr. Haustveit. Motion carried.

### **EXECUTIVE SESSION**

Mr. Haustveit made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Bradford. The vote was: Mr. Fenn, aye; Mr. Haustveit, aye; Ms. Bradford, aye; and Ms. Todd, aye. Motion carried.

Ms. Bradford made a motion to come out of executive session. It was seconded by Mr. Haustveit. The vote was: Mr. Fenn, aye; Mr. Haustveit, aye; Ms. Bradford, aye; and Ms. Todd, aye. Motion carried.

### **CORRESPONDENCE**

Ms. Todd made a motion directing Bureau staff to respond to correspondence from a driving business school regarding a request to add an instructor to its apprenticeship training program. The response will notify the business that the

instructor is ineligible via Rule 275.05 because the instructor has not been licensed continually for five years. It was seconded by Ms. Bradford. Motion carried.

**NEXT MEETING** was scheduled for April 27, 2018 at 1:30 PM.

## **ADJOURNMENT**

Ms. Todd made a motion to adjourn the meeting at 1:04 PM. It was seconded by Ms. Bradford. Motion carried.

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Robert M Fenn, Chair

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Faith Todd

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C Randal Willie

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Jared Hugh Haustveit

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Theresa A Bradford

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Tana Cory, Bureau Chief